医外腺性 医疗法 医

toperty, real or property or at law any spesporty, real or personal, or any specific share is, or right to property, real or personal in kind, as in replevia, or of ejectment, the plaintiff in person, or by , shall file with the elerk of the court, a petition for which may be in the following form:

Sec. 1119. In cases of ejectment, under the last cooling section, the plaintiff may, according to temetances, allege in his petition, that there is danger the lendant macone one for him, will commit destruction of tenents or each property, on the premises in controversy, penter lite, and thereupon ask for process of injunction, or other training process of the court, as such plaintiff may judge

Sec. 1120. In every such case, in which process of enstraint to the person or property of a defendant is syed for, no such process shall issue until the plaintiff or some on his behalf, shall have filed a bond conditioned for the abursement to the defendant of all costs, charges and damassustained by him in consequence of the suit, in case the distiff fail to sustain his action. Upon the filing of the petimaal bond, any judge of the court at chambers, may sance a constraining writ, by endorsing thereon his written alrance, without which no executive judicial officer shall be filled to the seizure, constraint, restrain or commitment of a feedbant, or in the seizure, attachment, removal, detention or monthin of his property, real or personal.

Sec. 1121. If the judge deem it proper that the defendant, or any of several defendants, should be seard before granting an injunction, he may grant an order requiring cause to be shown, at a specified time and place, why he injunction should not be granted; and the defendant may, a the mean time be restrained.

Sec. 1122. In case the petition contains no prayer straining process, the clerk shall issue a sum-

Sec. 1123. In case the petition contains a prayer

process of constraint against the defendant, or his crty, and the plaintiff has filed with the clerk a bond as ribed in section 1120, approved by a judge at chambers, and adge has allowed the constraining process, the clerk may a summons in the form prescribed in the last preceding m, with an additional clause after the words, "annexed on "as follows:

section, with an additional clause after the words, petition," as follows:

And you are further commanded to arrest the said defendant and commit him to prison, unless he shill give bond to answer as aforesaid, (or to attach and keep safely the said personal property until judgment of restitution be awarded or refused) (or to enjoin the said defendant under penalty of — dollars, not to sell, mortgage, lease or rent the said real property, lands and tenements, until the dissolution of such injunction by competent See. 1124. In all cases of attachment, sequestra-

ion or injunction of real property, the officer servon the defendant, post upon the premises a copy of the and a notice of the day and hour when attached, sequest enjoined, and shall also give notice thereof in the next Gazett. All after-leases, mortgages, sales, beassignments, trust or other conveyances of said property, or dissolution of the process, shall be void in law as

Sec. 1125. All persons residing or being in this singdom shall be personally responsible in damages, or trespuss or injury, whether direct or consequential, to the erson or property of others, or to their wives, children under anjority, or wards, by some of the command, or by his wife, or is child under majority, or by his command, or by his animals, comite or fera natura; and the party aggrieved may prosents therefor in the proper courts.

the therefor in the proper courts.

Her. 1126. Upon failure of any party defendant, after having been served with the process prescribed a sections 1101 and 1122, to answer the complaint within westy days after service, the plaintiff in the action, upon proof on judge at chambers, shall be entitled to an order for judge at the process by default, deburring the defendant from the right to never. The judge or the court, shall have power, however, to get the default, in their discretion, for good and sufficient

Sec. 1127. The clerk shall, after such default, enter the cause upon the calendar of assessments to be made exparte at the term, upon sole adduction of plaintiff's evidence, without admitting the defendant to rebut the same: provided, however, that the defendant may in person, or by counsel, cross examine the plaintiff's witnesses, and address the

Sec. 1128. The measure of damages in all cases intemplated by section 1116, shall be according to a true legal interpretation of the court upon the law, instruent, contract or agreement; and in all cases of injury, direct consumential, to the plaintiff in person, or his wife, child or trant, or to his, her or their character or feelings, or to his pretty, real or personal, the measure of damages shall be determed by the jury.

Sec. 1129. In actions of ejectment to enforce the that of possession of lands, it shall be sufficient to party in actual possession thereof, though he be not ne claimant, or if no one be in actual possession at the post a copy of the process, and notice to the party arrayely, in some conspicuous place upon the premises, there days before the first day of the term of the court

Sec. 1180. Issues of fact arising in any suit, con-implated by sections 1100 and 1116, shall be tried a jury, unless a jury trial be waived by the parties with the mount of the court. TRIAL BY REFEREES.

Sec. 1181. In all cases of complication, and in acces involving long accounts, the court may, upon a written application of either party showing satisfactory cause, a own motion, appoint competent referees, as provided in 841, to hear and decide upon the facts and merits of the exporting their decision to the court: provided, however, a provision shall not extend to any case contemplated by a 1116 and 1118.

Sec. 1132 Referees so appointed shall be sworn thful and speedy investigation of, and to an t award upon, the matters submitted to them. All perble to serve as jurors, shall be liable to serve as

Sec. 1133. Either party may take exception to the decision of the referees, upon a question of law, and it shall be the duty of the referees to note such exception. Sec. 1134. The report of referees in any cause hall be signed by them, or a major ty of them. bey shall file it with the cierk of the court by whom they were pointed, and such cierk shall notify the parties.

Sec. 1135. The party in whose favor the report shall have been made, shall, within ten days after being notified by the clerk, move the court, or a judge at chambers, giving at least forty-eight bours notice of such motion to the opposite party, for judgment of confirmation, which the court or judge shall grant or refuse upon hearing the parties, or upon default of the opposite party to appear, after proper notice of such motion.

Sec. 1136. Either party may except to the decis-on of a judge at chambers upon the report of referees, the the grounds of his exception with the clerk of the court in the court upon the calendar of motions, for reconsideration. If addression be awarded or refused by a circuit court, either any may except and take an appeal to the supreme court, pea filled his exceptions with the clerk of the circuit court in trees of judgment, within five days after the rendition of its

TRIAL BY THE COURT. Sec. 1187. The parties to a civil suit may, with at of the court, waive the right to a trial by

Sec. 1138. In such case the court shall hear and side the cause, both as to the facts and the law,

the decision of a circuit court, on a question of a nay such case, may appeal therefrom to the suprement, upon filing written notice of such appeal with the clerk of a circuit court, within five days after the rendition of its

BUITTING A CASE WITHOUT ACTION. Bue. 1140. Parties to a question in difference, which might be the subject of a civil action in the subject of a civil action in the subject of a civil action in the subject of the super which the controversy depends, and present a subject of the super which the controversy depends, and present a subject in term the or in vacation. But it must appear by affinity, that the controversy is real, and the proceedings in good in, to demand the rights of the parties.

Bec. 1141. The justices, or a majority of them, half thereupon how and determine the case, and maler judgment thereas, in writing, as if an action were de-

1142. Judgment shall be entered in such as in ordinary dell actions. The case, the for, and the written decision, shall constitute the record.

red in the same manner as if it had been NG SEVERAL CAUSES OF ACTION.

1144. The plaintiff in a civil suit may unite

specific real property, with or without sholding thereof, or for weste committed mes, by virtue of a contract, or by

in furtherance of justice and on the like terms, allow any peti-tion or other pleading to be amended in any matter of more form, or by adding or striking out the name of any party, or by cor-recting a mistake in the name of a party, or a mistake in any

SET-OFF, AND TENDER. Sec. 1146. It shall be competent to the defendant in any civil action to plead an offset of like kind and denomination, existing in the same right between him and the plaintiff, or having made a legal tender of money in full payment of the plaintiff's demand, to plead such tender, and bring the amount thereof into court in bar of further interest and costs, after such tender.

Sec. 1147. If the demand set off is founded on nd or other contract having a penalty, no more shall be set off than the sum equitably due Sec. 1148. If there are several plaintiffs, the de

mand set off shall be due from them all jointly; if here are several defendants, the demand set off, shall be due to been all jointly, except as is provided in the following section. Sec. 1149. When the person with whom a contract is made, has a dormant partner, and a suit is brought on such contract, by or against the partners jointly, any debt, due to or from the person with whom the contract was made, may be set off in like manner, as if such dormant partner had not been joined in the suit.

Sec. 1150. When an action is brought by one person in trust, or for the use of another, the defendant may set off any demand against the person, for whose use or cenefit the action is brought, in like manner as if that person

Sec. 1151. The plaintiff shall be entitled to every ground of defense against such set off, of which he night have availed himself, in an action brought against him on Sec. 1152. The statute limiting personal actions, if applicable to the set off, shall be applied in the

same manner, as if an action thereon had been commenced at the time when the plaintiff's action was commenced. DEPOSIT IN COURT, &c. e. 1153. When it is admitted, by the pleading or mination of a party, that he has in his possession, or under his cuntrol, any money, or other thing, capable of de-livery, which being the subject of the litigation, is held by him as trustee for another party, or which belongs, or is due, to another party, the court may order the same, upon motion, to be described in court, or delivered to such party, upon such con-ditions as may be just, subject to the further direction of the

Sec. 1154. Whenever in the exercise of its authority, a court shall have ordered the deposit or delivery of money or other thing, and the order is disobeyed, the court, besides punishing the disobedience, may make an order requiring the Marshal, or any of his deputies, to take the money or thing, and deposit or deliver it in conformity with the direction of the court.

JUDGMENT AND EXECUTION.

Sec. 1155. Judgment shall be entered by the clerk, without motion, immediately upon the rendition of a without motion, immediately upon the rendition of a verdict, or of a judgment of the court in banco, or of a judge at chambers, and execution may issue thereon at any time thereafter, when called for, unless notice is given at the time of rendering the verdict, or judgment, of a motion for a new trial and the filing of a bill of exceptions and bond, as provided by statute, within ten days after the rendition of such verdict or judgment: provided that execution may issue within ten days, even though such notice be given, when good and sufficient cause can be hown therefor. The provisious of this section shall not affect be right of appeal. the right of appeal.

Sec. 1156. Any party against whom a verdict or adgment is rendered, as set forth in the last prejudgment is rendered, as set forth in the last preceding section, may, upon filing a sufficient bond of security, conditioned for the payment of all costs of motion in case he fail to sustain the same, and that he will not to the detriment of the plaintiff in the action, remove or otherwise dispose of any property he may have liable to execution on such judgment, and upon giving notice of said motion and the grounds thereof to the opposite party, move the court at any time within ten days after rendition of verdict or judgment, for a new trial, for any cause for which by law a new trial may and ought to be granted. The filing of the bill of exceptions and bond shall operate as a stay of execution, until the motion is determined.

WRIT OF ERROR. Sec. 1157. Any party deeming himself aggrieved y the decision of a police justice, or of a circuit age at chambers, or of a circuit court in banco, or of any Justice of the supreme court, or by the verdict of a jury in any civil suit, may at any time before the execution thereon is fully satisfied, within six months after the rendition of judgment, file with the cierk of the supreme court, his reasons for deeming himself aggrieved, assigning the causes of error, in such decision

Sec. 1158. Such party may, upon service of co of such assignment of errors, and tender of error bond of such assignment of errors, and tender of error bond of security, conditioned for the payment of costs in case he fail to sustain his application, and that he will not to the detriment of the adverse party, remove or otherwise dispose of any property he may have liable to execution on the judgment, and upon at least ten days notice to the adverse party or his counsel, apply to any Justice of the supreme court, for a writ of error to be issued to the court below, or to the clerk of the supreme court, as the case may be, commanding such court or clerk to certify up the record and proceedings had in the cause, that the errors assinged may be corrected.

Sec. 1159. Upon the return of the writ with the record sent up, the supreme court may grant an

record sent up, the supreme court may grant an order to the adverse party to join in error on pain of reversal of the former judgment; and, after hearing the parties, or such of them as may attend for that purpose, shall thereupon give judgment, either affirming or reversing, or modifying the former judgment, or remanding the cause for a new trial.

Sec. 1160. Every writ of error shall operate as a stay of execution, before the actual sale of property and satisfaction of judgment, and no executive judicial officer shall, after notice, proceed to satisfy any execution the judgment in regard to which has been removed by writ of error : provided, that such stay shall not release property under actual levy at the time, if the 1 mer judgment be affirmed by the supreme court. MISCELLANEOUS PROVISIONS.

Sec. 1161. The several courts of record may, from time to time, make such rules as they may deem essary, for the guidance of their respective clerks in making calendars of the causes, civil and criminal, coming on for

Sec. 1162. Causes placed upon the calendsr shall be taken up and disposed of in the order in which they stand, unless postponed by the court at the request of the plaintiff or the defendant. Sec. 1163. When a cause is reached upon the cal-

endar, the plaintiff shall be called by the clerk, and endar, the plaintiff shall be called by the clerk, and if the plaintiff be not present, nor represented by counsel who is present, or if he or his counsel being present, decline to answer when so called, he may be declared non-suit with costs. If, upon calling the plaintiff, he does appear, and the defendant having joined issue does not appear, or answer when called, the court may order judgment by default to be entered against such defendant, and allow the plaintiff to proceed ex parte before the court or jury, and the verdict of the jury or decision of the court, shall be rendered on such ex parte showing, unless good cause appear to the court for postponing the case.

Sec. 1164. At the trial of every civil suit, the plain-Sec. 1164. At the trial of every civil suit, the plaintiff shall have the right to open the case, and first to introduce his witnesses and vouchers, and he shall also have the right to sum up the entire evidence, and close the debate after the defendant has fully ceased. The defendant may cross-examine the plaintiff's witnesses, and he shall have the right to introduce his witnesses of defence, when the plaintiff has rested his cause. The plaintiff may, in turn, cross-examine the defendant's witnesses. When all the evidence has closed, the defendant shall sum up his defence to the court or jury: provided, that the Justices of the supreme court may, by standing rule, modify the application of the foregoing provisions, should it appear expedient to do so.

Sec. 1165. Whenever two or more actions are pendng at one time between the same parties and in the same court, upon causes of action which might have been joined, the court may order the actions to be consolidated into one.

Sec. 1166. The time within which an act is to be done, as provided in any part of this chapter, shall be computed by excluding the first day, and including the last. If the last day be Sanday, it shall be excluded. Sec. 1167. When a cause of action has arisen in

any foreign country, and by the laws thereof an ac-tion thereon cannot there be maintained against a person, by reason of the lapse of time, an action thereon shall not be maintained against him in this kingdom, except in favor of a domiciled resident thereof, who has held the cause of action ABT. XLVII .- Of Criminal Prosecutions.

Sec. 1168. In all offenses against the laws of this

kingdom, triable only by a court of record, the of-lender shall be arraigned and prosecuted by indictment, by the legal prosecutor of the crown, at the ensuing term of the court having jurisdiction of the offense, unless the trial be postponed by the court, at the request of the party accused, or to afford reasonable time to obtain evidence on behalf of the prosecution. Sec. 1169. The necessery bills of indictment shall be prepared by the district attorney of each judicial circuit, respectively, and it shall be his duty to present such bills of indictment to the presiding judge of the court, before the opening of the term, and such judge shall, after examination, certify upon each bill of indictment, whether he finds the same

Sec. 1170. The district attorney shall furnish to the clerk of the court, at least three days before the first day of the term, a list of all criminal cases triable by jury at such term, that the calendar may be made up.

Sec. 1171. Any person indicted for a crime punishable with death, shall, on demand upon the clerk, by himself or his counsel, have a list of the jurors returned deliver ed to him, and shall also have process to summon such witnesses as are necessary to his defence.

Sec. 1172. In all cases in which the party accused is unable to employ counsel for his defence, the court may assign him counsel from among the licensed practitioners, who shall use every lawful exertion in his behalf, without fee or reward, upon pain of contempt to the court. Sec. 1173. Every native Hawaiian, arraigned upon

indictment for any offense shall, on demand upon the district attorney, be furnished with a copy of the indictment in the Hawaiian language.

Sec. 1174. The indictment shall be read aloud to

the accused party, in open court, and after the reading thereof, the presiding judge shall call upon him to plead thereto, either guilty or not guilty. If the plea be guilty, the clerk shall enter the same of record, and no jury shall be necessary in the case; but if the plea be not guilty, a jury shall be empanneled as prescribed by law. If the plea be guilty of the facts alleged in the indictment, but denying that these facts constitute the offense charged, there shall be no jury trial, but a trial on debate, at the bar of the court, upon the law involved.

Sec. 1175. The prosecuting attorney shall open the case, and first introduce his witnesses and proofs, and after the evidence for the defence has been presented, and the accused, or his counsel, has summed up and closed his case, the prosecuting attorney shall have the right to sum up the entire evidence and close the debate.

Sen, 1176, Under an indictment for robbery, lar-

Sec. 1176. Under an indictment for robbery, larteny, or any other offense, of more than one degree,
the jury may, when the evidence will not warrant a verdict of
ruitly in the degree for which the prisoner is indicted, return a
verdict for any leaser degree of the same offense.

Sec. 1177. The verdict of the jury, or the decision
of the court, as the case may be, shall, subject to
arrest of judgment, found the conseque to be passed in upon
ourt by either of the justices, pursuant to the penalties of the
aw charged and found to have been very the state of the decentive elemency, or to a motion in any ative clemency, or to a motion in Sec. 1178. The failure to

Bec. 1180. Any judge of a court of record may, for cause shown to his satisfaction, respite any convicted riminal for any length of time sufficient for the purposes of servy, or not to work injury to innocent third parties.

Sec. 1181. No person at the time insane, and no roman at the time quick with child, shall suffer spital punishment; neither shall any child suffer such punishment, who has not evinced a knowledge of the distinction between ght or wrong.

kingdom awards the punishment of death, there hall intervene at least forty-eight bours between the conviction and the sentence; and at least fourteen days between the sen-

Sec. 1183. The Marshal, or some one dept him, shall inflict the punishment of death, by hanging the criminal by the neck until fully dead, when the body shall be disposed of pursuant to the direction of the court. No capital punishment shall be so inflicted until the warrant for that purpose be signed by the King, and attested by the Kinhina Nul; nor shall such punishment be inflicted after His Majesty's purpose.

Sec. 1184. In all criminal cases when the punish ment is less than capital, the court before whom the conviction is had shall proceed as soon thereafter as may be, to pass sentence according to law, which sentence shall be recorded by the clerk, and certified to the Marshal, or his deputy, in the order for imprisonment, or other punishment, as the case was be

ART. XLVIII .- Of Juries, and of Trial by Jury Sec. 1185. It shall be the duty of each of the govcourt of record, to prepare, annually, in the month of January, a list of the names of one hundred persons, being native Hawaiians, residing within their respective gubernatorial divisions, who, in the opinion of such governor and judge, are competent to serve as increase.

Sec. 1186. Each list shall be signed by the gov ernor and judge preparing the same, and sent to the clerk of the supreme court at Honolulu, who shall write each same contained in such list on a separate piece of paper, and leposit the same in appropriate boxes to be kept by him for hat purpose.

Sec. 1187. The derk of the supreme court shall Sec. 1187. The Merk of the supreme court shall, at least twenty days before any term of the circuit court, for the second, third and fourth judicial circuits, or of any term of the circuit or supreme court in the first judicial circuit, at which there may be cases coming on for trial, in which both or either of the parties are native Hawaiians, in the presence of one of the Justices of the supreme court, and the Marshal, or the Sheriff of Oahn, draw from the appropriate box the names of twenty-four native jurors, who shall be summoned to serve at the ensuing term of such court, in the cases above mentioned.

Sec. 1188. It shall be the duty of the Governor of Oahu, and the Governor of Maui, respectively, in concert with some judge of a court of record, to prepare semi-annually, in the months of March and September, a list of the names of fifty persons reading within their respective guberna-torial divisions, being foreigners by high, or of foreign parent-age, who are competent, in the opinion of such governor and

Sec. 1189. The lists of names provided for in the ast preceding section, shall be signed and sent to the clerk of the Supreme Court, and by him disposed of in the man-ner prescribed in section 1186, in relation to lists of native jurors. Sec. 1190. The clerk of the Supreme Court shall, Sec. 1190. The clerk of the Supreme Court shall, at least twenty days before any term of the circuit court for the second judicial circuit, or of the Circuit or Supreme Court in the first judicial circuit, at which there may be cases coming on for trial, in which both or either of the parties is a foreigner by birth, in the presence of one of the Justices of the Supreme Court, and the Marshal, or the Sheriff of Oahu, draw from the appropriate box the names of thirty six foreign jurors, who shall be summoned to serve at the ensuing term of such court, in the cases above mentioued.

Sec. 1191. Whenever it may be necessary or pro er, for the trial of any cause in the circuit court for the third or fourth judicial circuits, to have a jury composed wholly or in part of foreigners, the presiding judge of such circuit court, for the time being, shall summon, from among the foreigners residing within such circuit, a sufficient number of persons to act as jurors in such case.

Sec. 1192. It shall be the duty of the clerks of the several courts of record, respectively, at least twenty riminal case or cases coming on for trial, in which any accuses arry is an alien foreigner, to send a letter (upon the request of party is an agen to register, or his counsel) to the nearest consul, or vice-the accused party, or his counsel) to the nearest consul, or vice-consul, of the nation to which such accused party belongs, if any there be within the kingdom, requesting him, on or before the tenth day from the date of said letter, to propose the names of of the Hawaiian Government, as jurors from which Sec. 1193. The clerks of the several courts of re-

ord, so far as the acceptance of such persons as Sec. 1194. In case of the refusal or neglect of such consul, or vice-consul, to propose said jurors within ten days after the date of such request, such refusal or neglect shall be considered as a proposal on the part of said consul or vice consul, that the jury for the trial of such accused person, or persons, shall be drawn from the array of jurors for the trial of civil cases in which any foreigner is a party.

ivil cases in which any foreigner is a party. Sec. 1195. When a list of thirty-six persons shall be duly proposed by such consul or vice-consul, and accepted by said clerk, their names shall be certified to the Marshal, or his deputy, who shall summon them to attend upon the court as junors for the trial of such accused person or persons. Sec. 1196. In all civil cases in which one party is native Hawaiian, and the other a foreigner, (alien

r naturalized.) the jury shall be composed of an equal number f natives and foreigners, who shall be drawn alternately from the boxes containing the names of such natives and foreigner as have been summoned to attend the court as jurors, in such cases · provided, always, that either party, with the consent of the other, may waive his right to a mixed jury. Sec. 1197. All native Hawaiians, accused of any crime, shall be tried by a jury composed entirely of

nd foreign jurors, respectively, returned to serve at the term. Sec. 1198. At the trial of any case requiring a ury, in the Supreme Court, or in any Circuit Court, the clerk of the court shall draw such jury, to the number of twelve, from the box or boxes containing the names of such per-sons as have been duly summoned to attend as jurors; and if any of the said twelve be challenged and set aside, he shall continue to draw from said box or boxes until twelve impartial jurors are

duly summoned, do not appear, or cannot be obtained to form a jury, the court ma / order the Marshal, or his deputy, to summon from among the bystanders, or from the circuit at large, so many persons qualified to serve as jurors, as shall be

Sec. 1200. The Marshal, or his deputy, shall sumnon the number so ordered, and return their names into court. Every person so summoned shall attend forthwith and serve as a juror, unless excused by the court; and for every neglect or refusal so to attend, shall be answerable to the court in the same manner as jurors regularly summoned as hereinbefore provided. The persons as summoned shall be subject to challenge as other invors.

Sec. 1201. Every person arraigned and put on hi rial for any offense punishable with death, shall be ntitled peremptority to challenge ten of the persons drawn as arors for such trial, and no more.

Sec. 1202. In all cases, civil or criminal, either arty may challenge any jurer drawn for such trial, for cause to be assigned to the presiding judge, who may deter-mine the validity of the objection urged against the competency of such juror, or submit the question to the determination of three triors to be appointed by him.

Sec. 1208. No jury, for the trial of any case, civil or criminal, shall be less than twelve in number; but when nine of such jury shall agree upon a verdict, they may render the same, and such verdict shall be as valid and binding upon the parties as if rendered by all twelve. Sec. 1204. Whenever any jury shall return into

court, and state that they cannot agree upon a ver-dict, the court may, in its discretion, disc arge such jury, or re-mand them to the jury room for further deliberation. Sec. 1205. The Chief Justice of the Supreme Court shall have power, in any intricate case, or case in-volving artistical or professional knowledge, or skill, pending in such court, upon the application of either party, to summon the adverse party to appear and show cause, if any he has, why a special jury should not be struck for the trial of such case.

Sec. 1206. If the adverse party do not appear in obedience to the summons, or, appearing, fail to assign any satisfactory cause to the contrary, and the Chief Justice shall be of the opinion that the ends of justice will be best reached by such a jury, he may order a special jury to be struck.

Sec. 1207. Special juries shall be struck in the fol-lowing man: The Chief Justice shall appoint a time lowing man: The Chief Justice shall appoint a time and place for striking the jury, at which the party applying for such jury shall notify the adverse party to attend. The clerk of the Supreme Court shall, at the time and place appointed, draw off a full list of the names of the jurors last furnished him for the trial of civil cases; (native, fereign or mixed, as the case may be,) when the parties is person, or by attorney, beginning with the plaintiff, shall alternately strike off from said list, one name, until only twelve names remain on the list; and those twelve shall constitute the jury to try the particular cause for which they were struck. If either party shall fail to attend at the time and place of striking such jury, or shall neglect to strike out any names according to the foregoing provisions, the clerk shall strike for him.

Sec. 1208. The twelve jurors chosen as provided in the last preceding section, shall be summoned in like manner as other jurors, and shall be in like manner answerable to the court for non-attendance. They shall not be liable

Sec. 1209. The expense of striking a special jury shall be paid by the party applying for the same, and Sec. 1210. It shall be the duty of the clerk of the Supreme Court to certify to the Marshal, or his deputy; the names of all jurors, both native and foreign, who are drawn to serve at any term of the Supreme Court, or of any Circuit Court, as provided in sections 1187 and 1190, in order that such jurors may be duly summoned. Said clerk shall also publish the names of such jurors in the Government Gazette, for public information.

Sec. 1211. Every such juror, if duly summoned at least forty-eight hours previous to the holding of the court, shall be punishable for non-attendance, by fine not exceeding one handred dollars, in the discretion of the court, for each day that he fails to attend without reasonable cause; and he may be brought up by summary attachment for that purpose. ART. XLIX .- Of Witnesses and Evidence.

Sec. 1212. The clerks of the several courts of record shall issue to the district attorney, and to any party plaintiff or defendant in any cause, civil or criminal, depending before said courts, respectively, or to the counsel of such party, writs of subporns for witnesses, in blank, that the names of the witnesses to be summoned may be inserted after the issuing of such writ. Sec. 1213. Such write of subposes shall be eigned the clerk, and impressed with the seal of the court desail be chilestory spon the Marchal and his deputtes, and the pertine country served the seal of the country and the pertine country served the seal of witnesses.

the service of the subpone.

Sec. 1219. In any criminal case tried before any sourt of this kingdom, the husband or wife of the arry accused shall be a competent witness for the detense. Sec. 1220. No person who shall have been duly convicted, in this kingdom, of the crime of murder n either degree, of sodomy, of arson, of perjury or subornation f perjury, or of forgery, shall be a competent witness for another any civil suit or proceeding: provided, however, that a concition for any offense other than perjury, or subornation of pericary, shall not disqualify the person convicted from testifying in any original cause.

COMMISSIONS TO TAKE TESTIMONY. Sec. 1221. Either party to a cause pending in any court of record, may move such court, or a judge thereof at chambers, upon sworn petition showing the absence of a material witness, for a commission to take the testimony of the same, whether residing in a foreign country, or in some ther circuit than that in which the cause is pending.

Sec. 1222. The party applying for such commission, shall file his interrogatories with his sworn petition, and shall suggest for the consideration of the court, or judge, suitable persons being disinterested and in partial, to execute the commission; he shall also serve copy of his petition, recommendations and interrogatories, upon the adverse party, and the court, or judge, may grant or refuse his motion, after hearing any objections which may be urged against it.

Sec. 1223. If the motion is granted, the court or udge may make an order upon the adverse party, requiring him to file his cross-interrogatories within a given time, or be precluded from the right to cross-examine the witness. If the interrogatories be crossed, or if the adverse party neglect or refuse to cross them pursuant to order, the court or judge may saue the commission, appending thereto the interrogatories, and lirect the commissioners to cite, and with the aid of the local authorities, to compel the attendance and deposition on oath of the witnesses named therein.

Sec. 1224 No such commissioner shall be authorzed to put any other question to a witness than those appended to the commission. The witnesses shall sign their respective answers as given, and the commissioners shall certify the same, and transmit them sealed, to the clerk of the ccurt, to be used in evidence. Depositions so taken in any civil case, shall be received as valid evidence in such case, unless impeached for trand or collusion, or gross impropriety.

Sec. 1225. Any party to a civil suit pending in any court of record, may apply to the court in term time, or to a justice thereof in vacation, upon affidavit, giving the opposite party at least twenty-four hours previous notice of such application, for a commission to take the estimony of any material witness, to be used at the trial of the cause, where such witness is about to cold the highest trial of the cause, where such witness is about to quit the kingdom, or is so ill that it is feared he will not live till the day of trial. TRANSCRIPT OF JUDICIAL RECORDS.

Sec. 1226. A transcript of any of the records and

judicial proceedings of any court of record, or of any judge of a court of record at chambers, shall be admitted in evidence, upon being authenticated by the attestation of the clerk of such court, with the seal of such court annexed, or of the judge at chambers before whom the proceedings were had, with the seal of such court annexed. Sec. 1227. A transcript from the docket of any circuit judge at chambers, or of any police or district justice, of any judgment had before him, of the execution issued thereon, if any, and of the return to such execution, if any, when

subscribed by said judge or justice, shall be evidence to prove the facts stated in such transcript, in any other court. ART. L .- Of Equity, Admiralty, and Probate Matters. Sec. 1228. All applications for the foreclosure of Sec. 1228. All applications for the foreclosure of any mortgage of real or personal property; for the abatement of ruisance, public or private; for the annulment of charters and other corporate rights, or for restraint or prohibition in the exercise thereof; for proclamation by scire facias; for sequestration of property upon legal or equitable grounds; for divorces and separations; for the affiliation of bastards; for the partition and division of real property; for the admeasurement of dower; for inquiries of lunacy or insanity; or for inquiries de ventre inspiciendo to determine the right of property, shall be by sworn petition addressed to some court, or justice, having jurisdiction thereof.

Sec. 1229. Upon the filing of such petition, the court or judge shall determine, ex parte, upon the propriety of granting the process prayed for. In cases not deing secresy, or occasioning don before issuing process, grant an order to show cause, and make any interlocutory order in the matter, which may appear neces-

Sec. 1230. When process is issued in any such case, it shall be served by delivery of a copy of the petition and of the sum nons to the defendants, or in case they cannot be found, by leaving such copy with some one upon the premises involved in the controversy, or in such other manner as the court or judge may direct. The officer charged with service of the process shall also, if so directed by the court or judge, publish in the Government Gazette a notice of such suit or proceeding, calling upon all persons interested to appear and show cause against it, at the time and place appointed for the

Sec. 1231. The court or judge may assess the smount due upon mortgages, whether of real or personal property without the intervention of a jury, after hearing of the parties, and adduction of the proofs, and shall order judgment or decree to be entered for the amount awarded, and execution to be issued thereon, subject to appeal in all cases except where the judgment or decree is rendered by the supreme Sec. 1232. All prior and subsequent mortgage

creditors, whose names are or can be discovered by the party foreclosing a mortgage, shall be made parties to his application, and if discovered before the day appointed for earing, they shall be served with copy of the petition Sec. 1233. Mortgage creditors shall be entitled to payment according to the priority of their liens, and not pro rata; and decrees of foreclosure shall operate to extinguish the liens of subsequent mortgages of the same property, without enforcing prior mortgages to their right of recovery. The surplus after payment of the mortgage foreclosed, shall be applied pro tanto to the pext junior mortgage, and so on to the payment, wholly on in part, of mortgages junior to the one

Sec. 1234. The mortgagor, or any subsequent mortgagee, may appear and answer matter of fact or of law, pleadable in defence to the application or petition for forcelosure, and shall be allowed to show any matter in legal or

Sec. 1235. All applications for the foreclosure of any hypothecation or other maritime lien, upon any vessel, demestic or foreign, or for the enforcement of the rights of salvors, or of material men, or for damages in cases of collision, or for the forfeiture of any vessel or other property for a breach of the revenue laws, or in causes of damage where the right of action arose without the jurisdiction of this kingdom, shall be be swerp restricted in the parameters. shall be by sworn petition, in the nature of a libel, addressed to the Chief Justice, or first Associate Justice of the Supreme

Sec. 1286. Upon the filing of any such petition, the justice shall determine, ex parte, upon the propriety of granting the process prayed for. He may, before issuing process, grant an order to show cause, if in his opinion advisable to the ends of justice.

Sec. 1237. When process is issued in any such case, it shall be served by delivery of copy of the case, it shall be served by delivery of copy of the petition, and of the judge's citation, to the defendants, or in case they cannot be found, by leaving such copy with some one upon the vessel libelied for foreclosure, or attached for payment of a maritime lien or liability, or for a breach of the revenue laws; or if service cannot be made as aforesaid, it may be made in such other way as the justice shall specially direct. As soon after service as may be, the Marshal or his deputy shall, in the discretion of the justice, publish in the Government Gazette, for such period as he may deem equitable, a notice of such action or proceedings, attachment, intended foreclosure, or sale upon hypothecation, or maritime lien, or forfeiture, and inviting all persons interested to show cause against it on or before the day assigned for the hearing. day assigned for the hearing.

Sec. 1288. In all such cases the, the justice may hear and determine the controversy, without the intervention of a jury; or he may cause a jury to be impanneled,
for the purpose of trying the facts involved in the cause, in accordance with the provisions of section 854. After hearing of
the parties, and adduction of the proofs, and the verdict upon
the facts being rendered, or the decision bring pronounced by
the justice, he shall order the clerk to enter up judgment thereon, subject to appeal, or to a motion for a new trial, and to issue
execution thereon as in cases not maritime.

Sec. 1289. When an appeal is taken in any such cause, from a decoision rendered by the justice without the intervention of a jury, the case on appeal shall be heard and determined by the supreme court in banco. Sec. 1240. Hypothecations and maritime liens shall follow the course of the law of nations, the law of the place of the contract, the law maritime and the law merchant in like cases, which the judge or court shall apply there-to, and to the apportionment and distribution of the proceeds

Sec. 1241. Matters of probate and of administra-tion, shall be heard and determined by the judge or court having jurisdiction thereof, without the intervention of a

Sec. 1242. In all cases in which any person, whether subject of this kingdom or otherwise, shall decease in any part of this kingdom, leaving a will in this kingdom of his or her property within its jurisdiction or abroad, or laving died abroad, and there left a will bequeathing or disposing of his or her property in this kingdom, it shall be incumbent upon the person named as executor of such will, or on the person to be benefited thereby, or on the person in whose charge the same was deposited, or some person in behalf of those interested, to apply to some judge of a court of record, at chambers, for probate of such will, and for citation of the witnesses thereto, and of the next of kin of the deceased.

See 1242 It shall in like meaning the increase. Sec. 1243. It shall in like manner be incumbent

on the person entiried and desirous to administer, according to the priority of right hereinafter prescribed, upon the estate of any person dying intestate in this kingdom, and leaving property therein, or dying abroad and leaving property in this kingdom, to apply by petition to some judge of a court of record, at chambers, for power to administer thereon.

Sec. 1244. All applications for probate of wills, or for letters of administration, shall be by sworn petition, in which the party shall set forth circumstantially all the facts upon which his application rests.

Sec. 1245. In the appointment of administrators upon the property of deceased persons, the following order of priority shall be observed:

1. The husband of a deceased wife;

2. The rife of a deceased husband;

3. The children being major;

4. The brothers and sisters of the deceased;

5. The cousins germain of the deceased;

6. Any bona fide creditor applying for administration:

Provided, however, that the judge may, for satisfactory cause, disregard the order of priority herein prescribed. Sec. 1246. The judge shall make the necessary orders for, and prescribe the length of time during thich, executors and administrators shall give notice to creditors and debtors of the cetate, and for the filing of inventories of

Sec. 1247. Executors and administrators shall in o case be liable to suit, until the expiration of six dendar months after probate, or letters of administration

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Advertisements

W. A. Aldrich RECEIVE PER "RADUGA," and "Washington Allston," and offers for sale-

Cases blue and grey mixed flannel shirts, Cases lard and cheese, Cases Bath brick,

onf. Crushed and Granulated Sugar. 158-3m B. F. SNOW Offers for Sale,

THE CARGO OF Clipper Ship Phantom!

Bbls fine Navy Bread,
Bbls and boxes Wafer Bread,
One Center Board Boat,
5 Smooth Bottom Whalebeats. oks, hoops and heads, half-bbl heads and staves, CASKS CUMBERLAND COAL, *100 BBLS HAXALL FLOUR, BALES OAKUM,

CEDAR SHINGLES, Etc., etc. 151-tf

NEW CLOTHING! THE UNDERSIGNED WOULD CALL Empire Clothing Store! On Nuuanu street, nearly opposite the Royal Hotel. There can be found a fine and well selected stock of CUSTOM MADE CLOTHING !

HATS!

. CAPS!

BOOTS AND SHOES -ALSOfine assortment of Gentlemen's Furnishing Goods!
J. & J. BARNERT.

Cargo of Lumber for Sale! TUST RECEIVED PER ÆOLUS, A. Camman 39,468 feet rough Redwood Boards, Scantling, 6 x 8, " 5-feet Pickets,
" 1-inch tongued and grooved Redwood Flooring,
" 1; " surfaced 1-inch Redwood Boards, " " 11 " " planed 1 " "

Tins salr 1,674 " tongued and grooved Pine Flooring, 14 inch, -ALSO-perican 1 inch white pine Boards, planed on two sides, Do 1 inch do do do on one side, and 12, 12½ and 13 feet length. Do 1 inch white pine Boards, 10 inch wide and 12 ft long, white pine Sheathing Boards, planed one side, cedar Shingles, shaved, Sonn tureens.

CHAS BREWER & CO. ALOHA!

Just Received per Brig "Aloha," D OTHER LATE ARRI offered for sale by the undersigned, viz: Twilled hickory and blue and pink striped regatta shirts, Parisian white and printed bosom shirts, Figured buckskin, nankinet and satinet pants, Black Orleans sack coats, cotton and silk um Saxony ginghams. Superior matches,

hes, Eau de Cologne, And Macassar oil. Muller's Celebrated Pale Ale! Claret, Haut Barsac, Champague, Turpentine and linseed oil, Olive Oil, superior German Blacksmith's Coal, Sheet-lead and Lead Pipe, Guns, Rifles, Gunpowder and Shot, HALF-INCH LUMBER. ED. HOFFSCHLAEGER & STAPENHORST.

ALT! SALT! SALT MANUFACTURED AT THE PUULOA SALT WORKS WHEUNDERSIGNED IS READY TO FUR-

nish to Butchers and Packers, in the largest quantities, a very superior article, EQUAL TO THE BEST IMPORTED SALT, and at a price to Defy Competition! For terms apply to DANIEL MONTGOMERY, Puuloa Salt Works. THE A 1 CLIPPER BARK Humphrey Nelson!" 476 Tons her Register, WAS TO LEAVE LIVERPOOL ON THE

Expressly selected for this market, including an unusually large and choice assortment of PRINTS, of which SAMPLES are shortly expected, and which will be disposed of "to arrive," at the VERY LOWEST MARKET RATES. For particulars, JANION, GREEN & CO apply to [151-tf] Ground cloves ONE PRICE! NO DEVIATION! Quick Sales! Small Profits!

FULL AND COMPLETE CARGO!

TRANK SPENCER WOULD RESPECTfully invite the attention of the public in general, and Ladies in particular, to his well selected stock of Dry Goods and Fancy Articles, And to meet the times, he would offer them at A MERE LIV-ING PROFIT, confident in the old saw, that "a nimble sixpence s better than a slow shilling."

N. B.—The services of a well-known and obliging Salesma having been secured, the public may rest assured that no pains will be spared to give the fullest satisfaction. 158-tf

B. F. SNOW, OFFERS FOR SALE TO ARRIVE. PER "WASHINGTON ALLSTON," EGS KEYSTONE WHITE LEAD, 25-1b Kegs, Kegs Lewis White Lead, 25-fb, 50-fb, 100-fb kegs, Kegs and cases Zinc Paint,
Bbls Epsom Salts. 164-tf JUST RECEIVED. PER BARK "FELIX," FROM SAN FRANCISCO, OXES MACY'S ADAMANTINE CAN-

For sale by B. F. SNOW. JUST RECEIVED PER "FELIX," Bags oats, Cs. C. H. DAVIS' SPARK-

Cases navy and excelsior beeswax,
Cases Hazard & Caswell's cod liver oil,
For sale by
J. C. SPALDING.

Goat Skins, Tallow, PURCHASED AT THE HIGHEST MAR-ket rates, by [119-tf] CHAS. BREWER & CO.

Old Composition, Old Yellow Metal PURCHASED AT THE HIGHEST MAR-ket rates, by 119 tf CHAS. BREWER & CO. Goat Skins. Hides.

Tallow, Composition, Old Copper. PURCHASED AT THE HIGHEST RATES by (61-tr) J. C. SPALDING. WHIFFLETREES, CHAINS, &c. SETS SUP. WHIFFLETREES & CHAINS, Extra sized Harrows,

ed Harrows,
Hand Cultivators,
Seed Planters,
Ox Yokes,
Iron Plows,
For sale by
CHAS. HREWER & CO. TTALF BOXES E. BOSTON No. 1 CRUSHed Sugar,
Half boxes East Boston Granulated Sugar.
Loaf Sugar, just received per clipper ship "Sy CHAS. BREWER & CO.

O'N HAND,
Burdles Nail Bods,
Bundles Norway Shapes,
For sale by
CHAB. BREWER & CO. CRADLE, CHAIR, TABLE, BEDSTEAD and coffin stuff, assorted sizes, from 2 to 6 inches equarement from 6 to 46 inches wide. For sale by C. BENWER & CO.

New Cats!

J. C. SPALDING NVITES THE ATTENTION OF Public to the following memoranda of choice for sale, in Plowrates, "to arrive," comprising the cargo of the Ship JO-SIAH BRADLEY, due in September next; also invoices due about sametime, per WASHINGTON ALLSTON and RA-

Groceries, Liquors, Provisions, &c.

25 cases claret
3 casks Jamaica rum
10 cases salt
10 cases salt
25 demijohns
[ale 6 cases cheese
pale 25 half bbls dried apples
61 casks 157 bbls bread
9 ‡ and 3 ‡ cases Pinet bt
75 cases champagne cide

75 cases champagne cide Cases of oysters, 15 tins Cases assorted meats Cases green corn Cases table salt Cases water crackers 10 cases sherry 1 bale corks 100 cases gin 50 cases wine bitters Cases salt, in 201b bags Sundries. Dixon's
Caleb Tate
Native's Pride
Napier
Sugar Pear
Goodale
Cases palm hats
Handled axes
Hide poison
Turpentine
Boiled linseed oil
Boots and shoes
Eoat's davits
Radis iron 3307 feet plank TOBACOC 19 cases clothing 20 boxes starch 280 kegs lead 3 rolls lead pipe 0x bows, yokes and plows Wheelbarrows Arm-chairs

Whale boats
Whale spades
Cases matches
347 sash doors
25 bndls windows
10 bndls blinds
Cases hickory shirts
Cases check pants
Cases denim frocks and pants
Cases raim leaf bats 10 bbls bright varnish Boxes family soap Boxes salt-water soap
Cases olue & white cot. thread
Cases Otis denims Per "Rad"ga." Tieses sugar-cured hams Cases brogans

Bndls iron Whale boats

79 casks Cumberlar

25 bbls pitch

239 kegs nails

Gases Winchester's perfumed and hemp lines
S. W. soap Just Received and for Sale! EXRESH AND CHOICE GROCERIES. Raisins in & and & boxes, Caraway seed, Sugar cured hams, Preserved peaches,

Cheese, papa jelly, currants Citron peel, Oregon salmon Fresh apples, raspberry jas Honey, ginger in jars, Green corn and peas, Do. quinces and pears, Plum, grape and current jellie French peas, asst'd sauces, Olive oil, pepper sauce, Tomato ketchup, mustard, Tins salmen, Oysters in 1 and 2 lb tins, English jams and preserves, True lemon syrup, Lewis' pickles and pie fruits, Curry powder, ground ginger, Black and cayenne pepper, Cloves, cream tartar, Soda, saleratus. Crockery Ware.

Toilet sets, cups and saucers, Pitchers, sugar bo Egg cups, salad bowls, Vegetable dishes, sauce tureens. Mugs, boats, Tea pots, cream pots, Pitchers with covers, Washbowls and pitchers, Platters, bakers, cake plates, Nappies, pickle dishes, Custards, pie dishes, Flower pots, spittoons, Candle sticks, foot baths Dinner and soup plates, Stone Ware. Water jugs, Bean pots and bakers, Glass Ware.

Ship's water bottles, Lump shades, lamp chimneys, Bird bottles, seed bottles, Salt cellars, Indian lamp shades, Glass preserve dishes, Butter dishes, creams, Sauce and cruet bottles, Cut tumblers, lamps, Wine glasses, goblets, Shade candle sticks, Colored water bottles. Britannia Ware. Water pitcher Cruet stadds. Sundries. Shoe brushes, axe handles

Fresh pears,

Strawberry jam.

ince meats,

Sweet savory,

Whole do

Lanteres, seives, coffee mi Pain killer, Tobacco, cigars and snuff, T. Constantly on hand, fresh island butter, ground coffee, &c 161-tf T. MOSSMAN & SON. Groceries. ON SALE, BY RECENT ARRIVALS, THE

fea kettles, grid irons

Fresh raisins, Fresh currants, in tins Fresh lobsters, Sardines, French capers, English pickles, English pie fruits, English sauces, English mustard, Tins of water, butter, sugar, oys-ter, soda and wine crackers, Smoked hams, Smoked herrings,

Best Oolong tea,

Ground ginger, Cream tartar, Green corn, Crushed and loaf sugar, Haxall flow: N. B.-Fresh Island Butter and Ground Coffee always on H. MCINTYRE. J. C. SPALDING

Offers for Sale, just received PER BARK "SACHEM," FROM BOSTON. BALES BRO. DRILLS, 100 doz denim frocks and pants 7 BALES BRO. DRILLS, 12 bales bro. sheetings, 1 bale bleached do, 7 cases cheese,
4 bates pump and rig'g leather,
280 kegs white lead,
20 bbls rice,
151 cases boiled oil,
2 bates cloves, 3 cases ticks, 2 cases bleached jeans, 1 case honey-comb quilts, 1 case striped grass cloth, 1 case white duck, 4 bags pepper. 10 coils Russia bolt rope 18 casks pilot bread, 200 boxes family soap, case bl. and white qu 18 cois spunyarn, 8 cases men's clothing, 5 cases charcoal irons, 56 cases boots and shoes 25 cases refined lard, 100 half bbls crushed sugar, 200 saddles, complete, 25 kits No. 1 mackerel, 200 boxes S. W. soap, 10 half bbis hide poison, 20 cases alcohol, 25 cases green peas. 20 cases spirits turpentine,
43 coils Manila cordage,
50 bbls extra mess beef,
30 half bbls prime butter,
450 bxs, hif and qr do raisins,
5 cases box salt,
3 shooks grad salt, 20lb bags,
117 kegs nails,
25 cases tobacco. Wines and Spirits.

100 kegs do do, 105 doz qts R. Byass' porter, 10 doz London cordial gin, 15 cases brandy peaches. 25 cases tobacco, 100 bbls Haxall flour, Honolulu, March 24, 1859. 143-tf Just Received per "Yankee." WHITEWASH BRUSHES, CALIFORnia ground ginger, in glass; California ground sage, in glass, Hamlin & Baker's oysters,

Fresh peaches, in syrup, Raspberry jam, Strawberry jam, Fresh strawberries, in gla resh strawberries, in giass, freen corn, fresh honey, fresh apples, citron peel. For sale by H. W. SEVERANCE. OAK PLANK, &c. OAK PLANK.

For sale by CHAS, BREWER & CO. CASES ENAMELED CLOTH. hildren's Carriages, various patterns, For sale by CHAS, BREWER & CO. PRESERVED VEGETABLES. CASES PRESERVED VEGETABLES.

Meats,

"Meats,

"Brandy Fruits, daily just received per clipper ship
en,"
For sale by

CHAS. BREWER & CO. PER YANKEE.
Cream tartar, in glass,
Table sal; in boxes. H. W. SEVERANCE

COOPERS' PUNCHING MACHINES.

COOPERS' PUNCHING MACHINES,
Chopers' Truss Hoops, just arrived by the clipper ship
Syren,"
For sale by
CHAS. BREWER & CO. 250 TONS BEST ENGLISH COALS— For sale by H. HACKFELD & CO.

HEMP SHROUDING.

3 INCH TO 7 1-2 INCH SHROUDING.

For sale by D. C. WATERMAN & CO. SIX CASES SUP. OIL CLOTH, assected withe, just received and for sale by CHAR BREWER & CO.

BEST ENGLISH SHEET IRON, OF ALL sizes and dimensions, for cale by MRICHES & CO. FOR SALE-EX SACHEM. ONE GRAND PARLOR PLANO FOR Spinsh Hugis thools, to do, 70

MORE NEW GOOD

RADUGA." " JOSIAH BRADLEY," " HUMPHREY NELSONS " WASHINGTON ALLS CONSISTING OF THE MOST DEN goods for country store keepers ever rket. The particulars will be given aft

per "Humphrey Nelson," are entirely NEW, and as borrowed from the old designs of importances by FOR SALE TO ARRI BY THE UNDERSIGNED.

THE CARGO OF THE A 1 BRITISH "Humphrey Nels CHELLEW, MASTER CAILED FROM LIVERPOOL MI Dry Goods. Blue cottons, white cottons, superfine what assorted prints, two blue prints, Turkey yellow prints, plain Turkey red clock hams, French lawns, moleskins, brills plain and fancy silks, Victoria lava furniture prints, cotton sheeting cotton handkerchiefs, printed bordered handkerchiefs,

Valenciennes hand kerchiefs, Tur-LINEN CAMBRIC handkerchiefs, denims, riding hats, cotton umbrellas, sik umbrellas, sewing cotton, and scarlet serge shirts, pilot erinos, alpacas, plain and figured, super oths, ladies' straw hats, brown, otton half nen's felt hats, silk handkerchiefs, sup hepherd's plaid, blue twilled flannel, plain the fa

Pale Cognac, Pale Sherry, Fine Old For Q BOTTLED ALE AND PORTER Hhds. Salts' Ale, hhds. Younger's at Sundries. White saltwater soap, perfumery, false gwdry, English saddles, Scotch biscuits, Crates assorted earthenware. Hams and bacon, Assorted iron.

Liquors.

SUGAR PANS AND COOLERS. Hoop Iron, 1 case superior assorted English FIFTY TONS RICE, in 109-th bags. Daily expected, per SEA NYMPH, t MARZETTI'S ALE AND PORTER, And shortly per GONELZA. from Looks, a of ENGLISH GROCERIES And by the first conveyance from England the PHREY NELSON, for which, vessel they were tal

ttful assortment of ENGLISH PRINTS, including yellows, and other choice styles.

17 The designs of these prints, as well as other per "Humphrey Nelson," are entirely NEW, and as borrowed from the old designs of importations by the life. B. F. SNOW, COMMISSION MERCH HONOLULU, H. L. WHITE LINEN HANDKERCE

Blown lanterns, with spring betters toking-glasses, gilt frames, assorted sizes, tins out Sup. Oolong Ten-13-lb ban.

Genuine Farina Colugue-47

Brand's Whaling Guns and le set Cutting Blocks-With CHAIN PESS

Manila and Hemp Cordage-1 Rasps and files, Axes, green paint, Chisels, Shooks and Heads. New Bedford Casks,

SAILS.

Hoop Iron, Cooper's

bedsteads, 1 French beistest,

D. C. WATERMAN Offers for Sale:

U300 bbis prime pork,
400 qr sacks S. F. flour,
15 cases bacon sides,
15 cases brogans,
10 boxes fine southong ica,
60 M Manila cigars,
65,000 lb bread, pilot, navy and medium,
50 keeps butter.

New Goods! New Good DECEIVED EX RECENT

Merino undershiris, suspenders, neck ties, sup. black and blue brondeloths, black docadis and English fancy cassimeres, tweels and freat variety, superior Marseilles vestings, in silies for ladies ase, all lices ducks and drile, besters and bit hate, do., etc.

Supplied Bino and White Figure 18 Condens as parter to the condens as parter to the

FAIRBANK'S PATENT PLATFORM COUNTER Amorted Shell Hardware. Bet Composition and Felt for Fire-pre-

200 BBLS. EXTRA MESS REEL

50 kegs butter, 50 colls New Belford towlines, 50 loxes to pect, 50 colls Manila cordage, 5t inch, 65 150 colls Manila cordage, 5t inch, 65 50 coils Manila cordage, 54 inch, 54, 54, 54, 5, 5, 2, 21, 21, 21 and 14 and 50 coils 6 thread, 8 thread and 12 the Chain cables and anchors, Copper spikes, 4 and 5 inch, Ship's cambuoses, complete, Nas. 2 and 5 whale trons, toggie irons, Whale broats, and 1 yawl bosts, Whale boats, and 1 yawl bosts, Cotton duck, Nos. 2, 4, 5, 6, 7, 3, 2 and 16 Hard pine heading,

DAVIES & JONES CELEBRATED PATER SEAM AND THERE-PLY COLLARS